

## TOWN OF ULSTER TOWN BOARD MEETING (9)

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April 21, 2016

**CALLED TO ORDER BY DEPUTY SUPERVISOR KITCHEN at 7 PM**

**SALUTE TO THE FLAG**

**ROLL CALL BY CLERK, Suzanne Reavy:**

TOWN COUNCILMAN JOEL B. BRINK

DEPUTY SUPERVISOR ERIC KITCHEN

TOWN COUNCILMAN JOHN MORROW

TOWN COUNCILMAN ROCCO SECRETO - Absent

SUPERVISOR JAMES E. QUIGLEY 3<sup>rd</sup> – Absent

**ALSO PRESENT:**

1. Town Attorney, Jason Kovacs
2. Officer in Charge, JP Gramoglia
3. Building Inspector, Kathy Moniz
4. Water Superintendent, John Rose
5. Town Assessor, James Maloney
6. Town Residents -- 20

**ADDITIONS OR CHANGES TO AGENDA:** None

**PUBLIC DISCUSSION ON AGENDA ITEMS:** None

**APPROVAL OF MINUTES – March 3<sup>rd</sup> and March 17<sup>th</sup>:**

MOTION: Councilman Brink

SECOND: Councilman Morrow

Town Councilman Brink	-Aye
Deputy Supervisor Kitchen	-Aye
Town Councilman Morrow	-Aye
Town Councilman Secreto	-Absent
Supervisor Quigley	-Absent

*CARRIED*

**COMMUNICATIONS:** None

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### **ABSTRACT OF CLAIMS:**

*Presented by Councilman Brink*

#### **This Month Vouchers:**

Prepaid Bills:	\$284,321.44
Abstract Bills:	\$537,057.44
Escrow:	\$ 3,125.00
Reserve:	\$ 3,842.94
Total:	\$828,346.82

Councilman Brink calls for **MOTION** to accept Abstract of Claims as presented:

MOTION: Councilman Morrow

SECOND: Deputy Supervisor Kitchen

Town Councilman Brink	-Aye
Deputy Supervisor Kitchen	-Aye
Town Councilman Morrow	-Aye
Town Councilman Secreto	-Absent
Supervisor Quigley	-Absent

*CARRIED*

### **BUDGET MODIFICATIONS:**

*Presented by Councilman Brink*

#### **General Fund:**

Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through  
A5110 (Approp.Reserve-Biddy Basketball League ) basketballs from LIDS  
Team Sports/Anaconda

Sports/Anaconda	1,800.00
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Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through  
A5110 (Approp.Reserve-Biddy Basketball League ) lock & storage racks  
purchased

on Chase credit card	348.96
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Modify Revenue A4389 (Fed.Aid, Safety) and Appropriation A3120.430  
(Clothing/cleaning  
(Clothing/Cleaning) Fed. Grant for 3 Bullet Proof Vests (DOJ Treas 310) 1,222.47

Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through  
A5110 (Approp.Reserve-Biddy Basketball League ) lock from Lowe's 18.98

Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through  
A5110 (Approp.Reserve-Biddy Basketball League ) storage container from  
Interport  
Maintenance Co. 1,675.00

### Highway Fund:

Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5142.420  
(Gas &  
Oil) Feb. Gas Reimb. - Oper.Funds 4,241.42

Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5142.420  
(Gas &  
Oil) Feb. Gas Reimb. (Ruby Fire Dist.) 129.04

Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5142.420  
(Gas &  
Oil) Feb. Gas Reimb. (Ulster Fire Dist.#1/Spring Lake) 52.53

Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5142.420  
(Gas &  
Oil) Gas Reimb. (East Kingston Vol. Fire Co.)

Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5142.420  
(Gas &  
Oil) Jan. Gas Reimb. (Town of Kingston Hwy. Dept.) 414.21

Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5142.420  
(Gas &  
Oil) Feb. Gas Reimb. (Town of Kingston Hwy. Dept.) 283.66

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Modify Revenue D1270 (Shared Service Charges) and Appropriation  
D5110.400

(Street Program) reimb. For 24 traffic cones from Town of Lloyd Hwy. Dept. 339.84

### Highway Fund:

Modify Revenue D1270 (Shared Service Charges) and Appropriation  
D5110.400

(Street Program) reimb. For 24 traffic cones from Town of Marbletown Hwy.  
Dept. 339.84

Modify Revenue D1270 (Shared Service Charges) and Appropriation  
D5110.400

(Street Program) reimb. For 24 traffic cones from Town of Esopus Hwy. Dept. 339.84

Modify Revenue D1270 (Shared Service Charges) and Appropriation  
D5110.400

(Street Program) reimb. For 74 traffic cones from Town of Shawangunk Hwy.  
Dept. 1,084.84

Modify Revenue D1270 (Shared Service Charges) and Appropriation  
D5110.400

(Street Program) reimb. For 86 traffic cones from Town of Woodstock Hwy.  
Dept. 1,217.76

Modify Revenue D1270 (Shared Service Charges) and Appropriation  
D5110.400

(Street Program) reimb. For 30 traffic cones from Town of Hurley Hwy. Dept. 424.80

### Cherry Hill Water:

Modify Appropriation SW5.8320.409 (Repairs & Suppls.) to be funded through

SW5.5990 (Approp. Fund Bal.) for contractual expenses 3,011.00

### Whittier Sewer:

Modify Appropriation SS1.9950.900 (Interfund Transfer, Cap. Project) to be  
funded through SS1.5990 (Approp.Fund Bal.) payment to Grant St.  
Construction

Inv.#5 - Primary Clarifier Replacement

## TOWN OF ULSTER TOWN BOARD MEETING (9)

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Modify Appropriation SS1.9950.900 (Interfund Transfer, Cap. Project) to be funded through SS1.5990 (Approp.Fund Bal.) payment to Warren Electric Supply  
electrical supplies & new primary tank - Primary Clarifier Replacement

Modify Appropriation SS1.9950.900 (Interfund Transfer, Cap. Project) to be funded through SS1.5990 (Approp.Fund Bal.) payment to Brinnier & Larios - Inv.#9  
Primary Clarifier Replacement

**Whittier Sewer**  
**Cap. Proj.:**

Modify Revenue HWS.5031 (Interfund Transfer) and Appropriation HWS.8110.200  
(Construction) payment to Grant St. Construction Inv.#5 - Primary Clarifier Replacement

Modify Revenue HWS.5031 (Interfund Transfer) and Appropriation HWS.8110.200  
(Construction) payment to Warren Electric Supply - electrical supplies & new primary tank-Primary Clarifier Replacement

Modify Revenue HWS.5031 (Interfund Transfer) and Appropriation HWS.8110.400  
(Engineering) payment to Brinnier & Larios - Inv.#9 - Primary Clarifier Replacement

<b>General Fund:</b>	<b>Transfer From</b> A1620.454 Maint.	<b>Transfer To</b> A1620.200 Equip.	1,000.00
<b>Whittier Sewer:</b>	<b>Transfer From</b> SS1.8130.409 Repairs & Suppls.	<b>Transfer To</b> SS1.8130.454 Maint.	500.00
<b>E.Kingston Water:</b>	<b>Transfer From</b> SW7.8320.454 Maint.	<b>Transfer To</b> SW7.8320.409 Repairs & Suppls.	33.00

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Councilman Brink calls for **MOTION** to accept Budget Modifications as Presented

MOTION: Councilman Morrow

SECOND: Deputy Supervisor Kitchen

Town Councilman Brink	-Aye
Deputy Supervisor Kitchen	-Aye
Town Councilman Morrow	-Aye
Town Councilman Secreto	-Absent
Supervisor Quigley	-Absent

*CARRIED*

### **NEW BUSINESS**

**MOTION** to authorize the Highway, Water and Sewer Superintendents to sign the extended Uniform Contract with Uniforms USA for 2016-2018

*Councilman Morrow Notes that the extended contract amounts will not result in any increased costs to the Town.*

MOTION: Councilman Brink

SECOND: Councilman Morrow

Town Councilman Brink	-Aye
Deputy Supervisor Kitchen	-Aye
Town Councilman Morrow	-Aye
Town Councilman Secreto	-Absent
Supervisor Quigley	-Absent

*CARRIED*

**MOTION** to schedule a public hearing for the 2016 CFA (Consolidated Funding Application) grant for May 19, 2016 at 7:15pm

MOTION: Councilman Morrow

SECOND: Councilman Brink

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Town Councilman Brink	-Aye
Deputy Supervisor Kitchen	-Aye
Town Councilman Morrow	-Aye
Town Councilman Secreto	-Absent
Supervisor Quigley	-Absent

*CARRIED*

**MOTION** to authorize the hiring of a full time Police Officer:

*Councilman Morrow (Personnel Committee) to describe hire:*

*Guy Proper:* Salary \$44,464.00; union competitive; start date 5/2/16; PBA; Step 2; recommended by JP Gramoglia and Police Matters Committee; proven to be a valuable and dependable employee.

MOTION: Councilman Morrow

SECOND: Councilman Brink

Town Councilman Brink	-Aye
Deputy Supervisor Kitchen	-Aye
Town Councilman Morrow	-Aye
Town Councilman Secreto	-Absent
Supervisor Quigley	-Absent

*CARRIED*

**MOTION** to authorize the hiring of a part time Seasonal Worker for the Highway Dept:

*Councilman Morrow to describe hire:*

Paul Pirigyi: start date 5/2/16; no benefits; \$10.00/hour; non-competitive; non-union; work up to 40 hours/week

MOTION: Councilman Morrow

SECOND: Councilman Brink

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Town Councilman Brink	-Aye
Deputy Supervisor Kitchen	-Aye
Town Councilman Morrow	-Aye
Town Councilman Secreto	-Absent
Supervisor Quigley	-Absent

*CARRIED*

**MOTION** to authorize the Highway Superintendent to install a school bus stop warning sign on Tuytenbridge Road:

MOTION: Councilman Brink  
SECOND: Councilman Morrow

Town Councilman Brink	-Aye
Deputy Supervisor Kitchen	-Aye
Town Councilman Morrow	-Aye
Town Councilman Secreto	-Absent
Supervisor Quigley	-Absent

*CARRIED*

### **OLD BUSINESS**

**RESOLUTION** authorizing Site Plan Approval for Rusi Holding Corporation, 1306 Ulster Avenue, Kingston, NY, SBL # 48.08-1-33:



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### RESOLUTION TOWN OF ULSTER TOWN BOARD

Site Plan Approval  
RUSI HOLDING CORPORATION  
Section 48.008, Block 1, Lots 33  
1306-1308 Ulster Avenue

April 21, 2016

**WHEREAS**, the Town Board, Planning Board and its consultant planner and engineer's have reviewed an application by Rusi Holding Corporation for Site Plan approval to expand an existing shopping plaza; and

**WHEREAS**, materials submitted in support of the proposed action include:

- *FULL EAF* prepared by Praetorius & Conrad, P.C., dated May 12, 2008;
- *Existing Site Plan* prepared by Praetorius & Conrad, P.C., dated 3/23/07, revised 2/7/08, 5/8/08, & June 11, 2008;
- *Proposed Site Plan* prepared by Praetorius & Conrad, P.C., dated 3/23/07, revised 2/7/08, 5/8/08, & June 11, 2008;
- *Proposed Grading & Utility Plan* prepared by Praetorius & Conrad, P.C., dated 3/23/07, revised 2/7/08, 5/8/08, & June 11, 2008
- *Erosion Control Plan and Details* prepared by Praetorius & Conrad, P.C., dated 3/23/07, revised 2/7/08, 5/8/08, & June 11, 2008
- *Photometric Plan and Details* prepared by Praetorius & Conrad, P.C., dated 3/23/07, revised 2/7/08, 5/8/08, & June 11, 2008
- *Proposed Entrance Sheet* prepared by Praetorius & Conrad, P.C., dated 3/23/07, revised 2/7/08, 5/8/08, & June 11, 2008
- *Sewer Line Layout & Profile* prepared by Praetorius & Conrad, P.C. dated 3/23/07, revised 2/7/08, 5/8/08, & June 11, 2008
- *Detail Sheet* (1) prepared by Praetorius & Conrad, P.C. dated 3/23/07, revised 2/7/08, 5/8/08, & June 11, 2008
- *Detail Sheet* (1) prepared by Praetorius & Conrad, P.C. dated 3/23/07, revised 2/7/08, 5/8/08, & June 11, 2008 and
- *Building Elevation* prepared by Scott Dutton Associates, LLC dated June 5, 2008.

**WHEREAS**, after careful review of the proposed plan and consultation with its consulting planner and engineers, the Planning Board referred the proposed action to the Town Board with a recommendation to hold a public hearing at its August 21, 2008 meeting; and

**WHEREAS**, the Town Board held the public hearing on August 21, 2008, took public comments and closed the public hearing; and

**WHEREAS**, the Town Board instructed its consulting engineers and planners to address technical comments regarding the proposed project to ensure potential environmental impacts were effectively mitigated; and

**WHEREAS**, the Town Board considered of the application materials submitted by the applicant in support of the proposed action, along with the comments of its consultants made via memoranda (which memoranda are incorporated herein by reference); and

**WHEREAS**, the Town Board referred to the proposed action to the Ulster County Planning Board for their review and comments that were received on March 5, 2008; and

**WHEREAS**, that the Town Board carefully considered the County's GML 239 recommendations but as instructed by the County chose to pursue other alternatives that were developed by the NYSDOT; and

**WHEREAS**, due to applicant's failure to obtain a building permit, applicant's site plan expired, and applicant has re-applied to the Town of Ulster for site plan approval for this project, and

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**WHEREAS**, the Town of Ulster Planning Board recommended approval of the site plan for this project at their January 12, 2016 meeting and formally referred this matter to the Town of Ulster Town Board for approval, and

**WHEREAS**, the Town Board upon review of the entire record (including SEQRA Full EAF parts 1, 2, & 3) found that proposed expansion of the shopping plaza will not have an adverse impact on the environment; as Lead Agency made a determination of non-significance and issued a Negative Declaration pursuant to Part 617 of SEQRA.

**NOW THEREFORE BE IT RESOLVED** that the Town Board has determined that they have complied fully with the procedural requirements of Part 617 of the State Environmental Quality Review Act (SEQRA); and

**FURTHER BE IT RESOLVED**, that upon full consideration of the above, the Town Board hereby grants approval of the Site Plan application for the expansion of the RUSI HOLDINGS CORPORATION plaza subject to the following conditions:

- a. The proposed building will be required to incorporate windows along the entire front façade as depicted in the Building Elevation "With Window" prepared by Scott Dutton Associates, LLC;
- b. That the applicant be required to submit detailed Building Elevations to the Town Planner showing any proposed renovations to the existing building façade that shall be subject to their review and approval;
- c. The applicant provides a Master Sign Plan to the Town Planner that shall be subject their review and approval; and
- d. That the applicant enter into an MOU to construct sidewalks that is approved by the Town Attorney.

**Motioned by:** Councilman Brink

**Seconded by:** Councilman Morrow

**Date:** April 21, 2016

**All in Favor:**

Supervisor James E. Quigley 3 <sup>rd</sup>	<u>Absent</u>
Councilmember Eric Kitchen	<u>Aye</u>
Councilmember Joel Brink	<u>Aye</u>
Councilmember John Morrow	<u>Aye</u>
Councilmember Rocco Secreto	<u>Absent</u>

THIS IS TO CERTIFY THAT THIS IS A TRUE COPY OF A  
RECORD ON FILE IN THE TOWN CLERKS OFFICE,  
TOWN OF ULSTER LAKE KATRINE, NEW YORK.  
*Azanne Dean*  
TOWN CLERK

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MOTION: Councilman Brink

SECOND: Councilman Morrow

Town Councilman Brink	-Aye
Deputy Supervisor Kitchen	-Aye
Town Councilman Morrow	-Aye
Town Councilman Secreto	-Absent
Supervisor Quigley	-Absent

*CARRIED*

**RESOLUTION** authorizing Conditional Final Site Plan Approval for Kingston Commons, LLC, 325 & 631-669 Washington Ave., Kingston, NY, SBL# 48.14-1-19 & 20

- *Deputy Supervisor Kitchen adds that Councilman Morrow would like to add an additional condition to this Resolution for approval*
- *Councilman Morrow turns over to Town Attorney, Jason Kovacs for further comment/explanation*
- *Jason Kovacs: Two representatives from Kingston Commons here this evening. They would like to speak and do have a colored rendition of the site plan.*

*Jeff Martell (Stonefield Engineering), Project Engineer:* Has 11x17 layouts, and full-size board.

*Deputy Supervisor Kitchen:* Please give these layouts to the Town Planning Board as well.

*Jeff Martell:*

Three buildings, one multi-tenant, and two restaurant-type. Mixture of 3 or 4 prominent materials used for structure; try to match true red-brick similar to City Hall. Planning Board asked them to look at blue stone element, went with sleight-blue awnings. Fiber cement siding. Quality is in brick and siding. Clean face for signs. Store fronts have treatment below windows, critical for retail tenants. Middle building, kept same brick, siding, and awning – added stone facing Washington Ave. Smaller buildings are simpler, less opportunity for treatment. Same brick, siding, and additional detail at entrance. Color palette looks good and will try to take materials throughout all three buildings, although businesses that come in may have different color elements.

*Deputy Supervisor Kitchen:* Do I have a MOTION to authorize this conditional final site plan approval?

*Councilman Brink:* I will make a MOTION so that we can go into discussion.

*Deputy Supervisor Kitchen:* I will second. Any discussion?

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*Councilman Morrow:* This is the first time we have seen any color rendition of this. I would like to have the Planning Board look at the color rendition and get back to us with their recommendations.

*Deputy Supervisor Kitchen:* Developers picked out colors that are natural to the area. I'd ask the Town Attorney if he has any comments. Prepared to go forward tonight.

*Jason Kovacs:* If the Town needs further time to review the colors, suggests modifying the Resolution and add a condition to the Building Permit that the Planning Board review the approval of the color scheme; Planning Board has final review of the color scheme. This will prevent further delay of the project. It would be a condition added to this Resolution, that before a building permit can be issued on this project, the Planning Board must review and approve the proposed color scheme.

*Councilman Morrow:* That is satisfactory.

*Deputy Supervisor Kitchen:* Do I have a MOTION on the modified Resolution?

*Michael Moriello, Attorney for Applicant:* Only caviat he has is that this would be presented to the Board for approval. Depending on the franchise/occupant, the color may change. No objection, but would have to come back to the Board for approval.

*Councilman Morrow:* You would have to go back to the Planning Board, not the Town Board.

*Moriello:* Thank you.

*Councilman Morrow:* The original motion must be withdrawn, due to Robert's Rules.

*Deputy Supervisor Kitchen:* We will withdraw the first motion – the MOTION for the **RESOLUTION** authorizing Conditional Final Site Plan Approval for Kingston Commons, LLC, 325 & 631-669 Washington Ave., Kingston, NY, SBL# 48.14-1-19 & 20

**AND NOW MODIFIED : \* see below**

**RESOLUTION** authorizing Conditional Final Site Plan Approval for Kingston Commons, LLC, 325 & 631-669 Washington Ave., Kingston, NY, SBL# 48.14-1-19 & 20, conditioned on the Planning Board review and approval of the proposed color scheme:

MOTION: Councilman Brink

SECOND: Deputy Supervisor Kitchen

Town Councilman Brink	-Aye
Deputy Supervisor Kitchen	-Aye
Town Councilman Morrow	-Aye

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Town Councilman Secreto  
Supervisor Quigley

-Absent  
-Absent

*CARRIED*

**RESOLUTION** Adopting Negative Declaration Notice of Determination of Non-Significance [Comfort Inn Project]  
[First phase: Building up of the building and land.]

### **RESOLUTION OF THE TOWN BOARD TOWN OF ULSTER**

#### **Resolution Adopting Negative Declaration Notice of Determination of Non-Significance [Comfort Inn Project]**

**SBL: 48.18-1-28 & 48.18-1-33.1**

**Date: April 21, 2016**

**WHEREAS**, the Town of Ulster Planning Board and its consultant planner have reviewed an application by SAI Capital Group, LLC with the Consent of Bipin Patel (Signatory for Huguenot Development, LLC (Owner) seeking Site Plan approval for construction of a 94-room, 4-story Comfort Inn hotel along with associated parking, access, landscaped areas and utility infrastructure; and

**WHEREAS**, the applicant is proposing to develop the project in 2 phases with Phase 1 consisting of the initial clearing, grading and fill of the subject site and Phase 2 the Comfort Inn Hotel construction and site development; and

**WHEREAS**, the materials submitted in support of the Proposed Action includes:

- *Application for Site Plan Review* by SAI Capital Group, LLC, dated 12/1/2015;
- *Site Plan Consent Form* signed by Bipin Patel, property owner dated 12/1/15;
- *SEQR FULL Environmental Assessment Form Part 1* prepared by SAI CG dated 12/4/15;
- *Stormwater Management Report* prepared by Stonefield Engineering & Design, dated 12/4/15;
- *Cover Sheet for Plan Set* prepared by Stonefield Engineering & Design, dated 12/4/2015;
- *Existing Conditions Plan* prepared by Stonefield Engineering & Design, dated 12/4/2015;
- *Demolition Plan* prepared by Stonefield Engineering & Design, dated 12/4/2015;
- *Site Plan* prepared by Stonefield Engineering & Design, dated 12/4/2015;
- *Grading & Drainagew Plan* prepared by Stonefield Engineering & Design, dated 12/4/2015;
- *Utility Plan* prepared by Stonefield Engineering & Design, dated 12/4/2015;

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- *Lighting Plan* prepared by Stonefield Engineering & Design, dated 12/4/2015;
- *Phase I Soil Erosion & Sediment Control Plan* by Stonefield Engineering & Design, dated 12/4/2015;
- *Phase II Soil Erosion & Sediment Control Plan* by Stonefield Eng. & Design, dated 12/4/2015;
- *Soil Erosion & Sediment Control Details* by Stonefield Engineering & Design, dated 12/4/2015;
- *Landscaping Plan* prepared by Stonefield Engineering & Design, dated 12/4/2015;
- *Landscaping Details* prepared by Stonefield Engineering & Design, dated 12/4/2015;
- *Construction Details* prepared by Stonefield Engineering & Design, dated 12/4/2015;
- *SEQR FULL EAF Part 1 & 2 w/ Neg. Dec.* by Riseley & Moriello, Attorneys dated 3/22/16; and
- *Phase I SWPPP-Phase 1 Fill Plan* by Stonefield Eng. & Design, dated 10/15/15, revised 4/1/16.

**WHEREAS**, the Town of Ulster Town Board has the authority to approve the Proposed Action since more than 2,500 SF of new gross floor area is proposed with this Site Plan application, upon a favorable recommendation from the Town of Ulster Planning Board; and

**WHEREAS**, the Town of Ulster Planning Board, at its January 12, 2016 meeting, referred this matter to the Town Board for the sole purpose of initiating a SEQR *Unlisted Action-Coordinated Review* with the Town Board so named as Lead Agency; and

**WHEREAS**, the Town of Ulster Town Board, was designated the Lead Agency for this SEQR *Unlisted Action-Coordinated Review*; and

**WHEREAS**, the applicant requested *Unlisted Action with Lawful Segmentation Review* to allow work on Phase 1 to commence in a timely manner and during the pendency of the environmental review the applicant completed various studies including an archeological/historic assessment by Joseph Diamond, PhD., and Ecological Assessment by North Country Ecological Services, Inc., and Flood Impact Statement by Stonefield Engineering and Design; and

**WHEREAS**, the upon review of the Full EAF Part 1 and Part 2 and review of the above referenced studies and plans, the Planning Board finds that lawful segmentation of this project is warranted since Phase 1 and Phase 2 do not result in cumulative impacts, which are environmentally significant since Phase 1 is in no way a precursor to Phase 2 completion; and

**WHEREAS**, the Town of Ulster Planning Board finds that Phase 2 of the project would still be required to go through its own separate, independent and comprehensive review under SEQRA; and

**WHEREAS**, on April 12, 2016, the Town of Ulster Planning Board, at a regular schedule meeting, formally referred this mater to the Town of Ulster Town Board with a recommendation the Town Board adopt the Negative Declaration Notice of Determination of Non-Significance to allow for the Lawful Segmentation Review of the above referenced project; now, therefore, be it



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**RESOLVED**, that the Town of Ulster Town Board adopt the Negative Declaration Notice of Determination of Non-Significance to allow for the Lawful Segmentation Review of the above referenced project.

*Michael Moriello, Attorney for Applicant:*

Lawfully segmented project. Phase I would be the grading and filling of the area. Also completed a flood plain study and environmental effects of Phase I. This does not commit the Town in any way to the Comfort Inn being built without site plan review and another SEQR review, separate and apart from this SEQR review.

MOTION: Councilman Morrow

SECOND: Councilman Brink

Town Councilman Brink	-Aye
Deputy Supervisor Kitchen	-Aye
Town Councilman Morrow	-Aye
Town Councilman Secreto	-Absent
Supervisor Quigley	-Absent

*CARRIED*

**RESOLUTION** authorizing the Supervisor to Sign Release of Reverter/Option to Repurchase:  
[Property: old landfill]

### RESOLUTION OF THE TOWN BOARD

#### TOWN OF ULSTER

#### Resolution Authorizing Supervisor to Sign Release of Reverter / Option to Repurchase

**Date: April 20, 2016**

RESOLVED, that the Town of Ulster is authorized to release, with respect to the real property at 1951 Frank Sottile Boulevard (designated as SBL: 48.12-1-21.200), the following condition in the May 18, 1993 deed conveying a certain parcel from the Town of Ulster to the Ulster County Resource Recovery Agency, recorded in the Ulster County Clerk's Office in Liber 2281 of Deeds at Page 0297:

"The party of the first part reserves unto itself an option to repurchase said premises for one dollar (\$1.00) any time after the expiration of twenty years provided such repurchase is for public use and then in that event the

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party of the second part agrees to continue to monitor and report to any governmental agencies relating to the closure of the landfill located on such premises. The option herein contained will be exercised by certified mail-return receipt requested and delivered to the party of the second part at is [sic] office herein described or at any successor office in which case the party of the second part shall convey to the party of the first part a bargain and sale deed with proper tax stamps affixed with an insurable title, such deed to be delivered at a time and place to be agreed within thirty days after delivery of such option notice."

and be it further

RESOLVED, that the Town Supervisor or his authorized designee is hereby empowered to execute all instruments, including the execution of a quitclaim deed releasing the Town's reverter interest / option to repurchase in the real property at 1951 Frank Sottile Boulevard (designated as SBL: 48.12-1-21.200), and take such action as may be reasonably necessary to effectuate the purposes hereof.

MOTION: Councilman Morrow

SECOND: Councilman Brink

Town Councilman Brink	-Aye
Deputy Supervisor Kitchen	-Aye
Town Councilman Morrow	-Aye
Town Councilman Secreto	-Absent
Supervisor Quigley	-Absent

*CARRIED*

### **PUBLIC COMMENT**

#### ***Town Resident Jeannine McCullough:***

1. Brought picture of father, a community member. Father was murdered. Wants to ask East Kingston to do something for her father, possibly for his grave.
2. Feels as if she has no rights as a landlord.
3. Feeling blasts from Callanan.
4. Wants to introduce a business plan to form an assembly.



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### **Town Resident Victoria Lowe:**

Here with several of her neighbors with safety concerns. Resident in Cherry Hill district; concerned about the bridge closure on Sawkill Road at Denver Road. Cars head into Cherry Hill where there is no outlet, looking for an alternate route to Washington Avenue. Heavier traffic and cars speeding. Has a day care and young children; some residents that go out for walks. There has to be something that we can do. Signs are not enough. Fears a vehicle going off of the bridge from Sawkill Road directly down onto the Thruway.

### **Town Resident Patricia Thayer:**

Cherry Hill resident 40+ years. Wants this town to be a more colonial town. Glad that the Town Board is concerned about the color scheme at Kingston Commons. Wants to maintain tourism. Other concern is Cherry Hill/bridge closure. Wants to thank Mr. Brink for putting signs up and Ulster Police for coming immediately when residents call. Concerned about emergency vehicles getting to the neighborhood with the bridge closure. Please do something about the signs on Sawkill Road. There could be a horrible tragedy. We do need more help. Thank you for your time and consideration.

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### **Town Resident Hans Funccius:**

Here tonight due to the Sycamore Tree that may be cut down with the development of Kingston Commons. Talked to the Town Planning Board on 4/12. Planning Board voted to make a recommendation to the Town Board to vote on a resolution to preserve the sycamore tree. Proposes that the Town Board pass a binding resolution that the tree and its root system be protected from damage during construction of Kingston Commons. We are concerned that this development is not in concert with the Town of Ulster comprehensive master plan, which states that the town will foster growth and development while retaining its rural and historical character... the Town Board and Planning Board should have control of new development... Alan Sorensen did a great job authoring the master plan for the town, and Mr. Morrow as well. Thank you for the opportunity to speak to you tonight. Question: Is this (master plan) up for review, such as every 10 years?

*Councilman Morrow:* We have a committee presently that is the Comprehensive Planning Implementation Committee, takes what the comprehensive law says and put it into our zoning laws to make them stricter. Looking at making changes in zoning laws, etc.

*Hans Funccius:* This plan has not been followed. My recommendation before going forward, I think something should be done in concert with historical development of this entire area.

*Deputy Supervisor Kitchen:* Our planning board wrote a letter to the State DOT, asking them to please preserve the tree. This Town Board cannot pass a binding resolution – we cannot order the state to not remove the tree.

*Councilman Morrow:* Suggests to Hans write a letter to the Town Board and Supervisor to request to be appointed to the Comprehensive Planning Implementation Committee.

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## TOWN OF ULSTER TOWN BOARD MEETING (9)

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April 21, 2016

### **Councilman Joel B. Brink**

Resident of Cherry Hill. Talked to Highway Superintendent Frank Petramale about the bridge closure and Denver Road signage. Will agree that the lighted sign on Sawkill Road near the Route 209 overpass is not very visible, even with sunglasses. Ditches along Sawkill Road makes it more difficult for people to turn around on Sawkill Road, and forces them to have to turn around in Cherry Hill. Has not observed excessive speed.

Will again talk to Superintendent Petramale and the County, so that signs are more legible and meaningful. Sympathizes with everyone; does not want to see anyone get hurt.

*Deputy Supervisor Kitchen:* Thank you, Councilman Brink, and thank you to the residents of Cherry Hill for coming.

*Councilman Brink:* Regarding the other bridge near Heritagenergy, possibly closing in June. Recently attended an Emergency Management meeting this past Monday – police, fire, and ambulance represented. They have concern about bridge closings, but they are on top of it 24 hours a day, 7 days a week. Ulster Hose #5 responds to Cherry Hill, and now they would come Route 209 to Sawkill Road. The ambulance service can get to Cherry Hill in emergency conditions. They all keep changing their plans to accommodate the changes that come up with bridge and road closures.

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### **Town Resident Garvin Russell:**

Thank you, Deputy Supervisor Kitchen and members of the Town Board. Here tonight for speed enforcement on Main Street, Lake Katrine. If you enter Main St. from Sheehan Lane, driving south, at 0.6 miles you see a 30 MPH speed sign, and no other sign for 1.2 miles. If you enter Main St. from Sawkill-Ruby Road, driving north, at 100 feet there is a 30 MPH speed sign, and next one is approx. 0.7 miles northbound, on Main St., and none further until you reach Sheehan Lane.

Has petitions signed from neighbors/residents on Main Street. Very unsafe to walk dogs; put children on the bus; go in and out of driveways. Has been a victim of an accident; witnessed another. Would like increased police presence; radar; speed trailer.

*JP Gramoglia:* Will reach out to Kingston City Police for their speed trailer. Will do whatever he can to help out the residents.

*Deputy Supervisor Kitchen:* Appreciates all help with patrol.

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### **Town Resident Jeannine McCullough:**

Wants to honor her father and introduce her economic plan – feels ignored.

*Councilman Morrow:* The Board is not ignoring your father. Town loved her father and he suggests she contact the veterans for the County so that they can do something to honor him graveside, as she suggested she would like.

## TOWN OF ULSTER TOWN BOARD MEETING (9)

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April 21, 2016

**Town Resident Anna Parks:**

Thank you to the Ulster Police Department. This morning, a police car followed the school bus in her neighborhood to make sure cars were following the law and stopping at stop signs and for the bus.

**Deputy Supervisor Kitchen:**

Yes, thank you to the Town of Ulster Police Department.

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~ No further comments ~

Deputy Supervisor Kitchen calls for **MOTION** to adjourn the meeting – 8:10 PM:

MOTION: Councilman Brink

SECOND: Councilman Morrow

Town Councilman Brink	-Aye
Deputy Supervisor Kitchen	-Aye
Town Councilman Morrow	-Aye
Town Councilman Secreto	-Absent
Supervisor Quigley	-Absent

***CARRIED***

Respectfully Submitted by Suzanne Reavy  
Ulster Town Clerk

***\*Addition May 19, 2016***

5/19/16 Town Board Meeting will again address this same Resolution.

The number of votes cast for this Resolution on 4/21/16 was not sufficient enough to override the UC Planning Board.